

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

KEITH LOWE, #63835-061

PETITIONER

VERSUS

CIVIL ACTION NO. 5:07-cv-35-DCB-MTP

CONSTANCE REESE, Warden

RESPONDENT

ORDER DENYING PETITIONER'S MOTION TO RECONSIDER

BEFORE THE COURT is Petitioner's Motion for Reconsideration [11]. Petitioner moves the Court to reconsider the memorandum opinion [9] and final judgment [10] of dismissal entered on July 26, 2007. Having considered the issues raised in the motion, the Court finds that the motion is not well-taken and should be denied.

In an effort to be exhaustive, this Court has considered the Petitioner's motion as filed pursuant to Rule 59(e) and Rule 60(b) of the FEDERAL RULES OF CIVIL PROCEDURE. After thorough consideration of the motion submitted, the entire court record and relevant case law, the Court concludes that Petitioner has failed to satisfy the requirements for obtaining relief pursuant to Rule 59(e) or Rule 60(b). *See Sturges v. Moore*, 73 Fed.Appx. 777, 778, 2003 WL 22100834, at *1 (5th Cir. Sept. 11, 2003)(citing *Ford v. Elsbury*, 32 F.3d 931, 937-38 (5th Cir. 1994); *See Texas A&M Research Found. v. Magna Transportation Inc.*, 338 F.3d 394, 400 (5th Cir. 2003). Accordingly, it is hereby,

ORDERED that Petitioner's Motion to Reconsider the Final Judgment [11] is **denied**.

SO ORDERED this the 15th day of August, 2007.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE